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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Choy)	Art Unit: 2172
)	
Serial No.: 09/614,369)	Examiner: Woo
)	
Filed: July 12, 2000)	AM9-99-0209
)	
For: SYSTEM AND METHOD FOR ENSURING)	August 14, 2002
REFERENTIAL INTEGRITY FOR)	750 B STREET, Suite 3120
HETEROGENEOUSLY SCOPED REFERENCES IN)	San Diego, CA 92101
AN INFORMATION MANAGEMENT SYSTEM)	

TRANSMITTAL LETTER FOR RESPONSE TO OFFICE ACTION

Commissioner of Patents and Trademarks
Washington, DC 20231

RECEIVED

AUG 26 2002

Technology Center 2100

Dear Sir:

In response to the Office Action dated July 16, 2002, enclosed herewith are the following:

- (1) A response in 3 pages;
- (2) An acknowledgment postcard.

Respectfully submitted,

John L. Rogitz, Atty. of Record, Reg. No. 33,549
750 "B" Street, Suite 3120, San Diego, CA 92101
Telephone: (619) 338-8075

JLR:jg
Enclosures

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, First Class Mail, postage fully prepaid, under 37 CFR 1.8, addressed to Box Non-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on AUGUST 15, 2002

Date Signed: AUGUST 15, 2002

JOHN L. ROGITZ, Attorney of Record
Registration No. 33,549



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Serial No.: 09/614,369)	Examiner: Woo
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Filed: July 12, 2000)	AM9-99-0209
)	
For: SYSTEM AND METHOD FOR ENSURING)	July 29, 2002
REFERENTIAL INTEGRITY FOR)	750 B STREET, Suite 3120
HETEROGENEOUSLY SCOPE REFERENCES IN)	San Diego, CA 92101
AN INFORMATION MANAGEMENT SYSTEM)	

RESPONSE TO OFFICE ACTION

Commissioner of Patents and Trademarks
Washington, DC 20231

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AUG 26 2002

Technology Center 2100

Dear Sir:

In response to the Office Action dated July 16, 2002, the following remarks are submitted. All pending claims (1-19) have been rejected as being anticipated by Burns et al., a patent owned by IBM, the owner of the present invention at the time it was made. Accordingly, Burns et al. can be used only as an anticipatory reference, since the present application was filed after November 1999.

Burns et al. is directed to linking and unlinking files from a RDBMS in a way that enables the files to be continuously available. One of its features is to eliminate the need for a binary large object (BLOB) data type, col. 3, lines 6-7.

Nowhere does Burns et al. teach or suggest the use of heterogenous links. In fact, nowhere in the entire Burns et al. patent is the word "heterogenous" even mentioned, a strange thing indeed for a reference that allegedly teaches, e.g., Claim 1 ("a software layer on top of the RDBMS for causing the RDBMS to

provide referential integrity for heterogenous links") and Claim 5 ("providing at least one heterogeneously scoped link (HSL) table, at least one table having a heterogeneously scoped link column, the HSL table being associated with the heterogeneously scoped link column").

Applicant is grateful for the examiner's recognition of this (asserting the Burns et al., col. 9, lines 10-21 teach providing referential integrity for *homogenous* links). Unfortunately, the examiner makes a legal mistake when he then asserts that Burns et al. inherently teaches heterogenous links, because Burns et al. "has data links to binary data (heterogenous links, different data type links) and text data type (homogenous links, same type links, thus, *it is inherent* that links comprises (sic) for (sic) heterogenous links and homogenous links)" (emphasis mine).

The problem here is two-fold. First, the examiner's allegation is unaccompanied by any specific reference to Burns et al. The only place in the preceding paragraph of the Office Action that the examiner points to as teaching heterogenous links is col. 1, line 66 to col. 2, line 19 and col. 2, line 55 to col. 3, line 54. But all the first section discusses, in the background of Burns et al., is the need for other systems to store BLOB objects, with the second section discussing that Burns et al. specifically avoids the need for BLOB data types. Nothing here about heterogenous links - rather, a seemingly direct contradiction of the allegation that Burns et al. "has data links to binary data and text data type".

Second, for an invention to "inherently" possess a feature or function, it must *necessarily* have that feature or function, MPEP §2112. Mere possibilities are insufficient. Since the examiner admits that Burns et al. teaches homogenous links, it is clear that it cannot "necessarily" include heterogenous links. Thus, what is left to uphold an anticipation rejection is an actual teaching in Burns et al. about heterogenous links,


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which doesn't exist. As noted above, Burns et al. does not even mention the word "heterogenous" or, to the best of Applicant's knowledge, any of its synonyms.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



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